

# **Appendix E**

## **Parties' Witness Lists**

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SURGICAL INSTRUMENT SERVICE COMPANY, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.

*Plaintiff/Counter-Defendant,*

v.

INTUITIVE SURGICAL, INC.,

*Defendant/Counterclaimant.*

Case No. 3:21-cv-03496-AMO  
Honorable Araceli Martínez-Olguín

**PLAINTIFF SIS's AMENDED  
PROPOSED TRIAL WITNESS LIST**

**SIS's Amended Proposed Trial Witnesses**

SIS submits this Amended Proposed Trial Witness List to include (1) a short statement of the substance of his/her testimony and (2) an hour/minute time estimate for the direct examination (only).

Pursuant to the parties' agreement, Surgical Instrument Service Company, Inc. ("SIS" or "Plaintiff") hereby serves its preliminary list of witnesses it intends to call or may call at trial in the above-captioned matter. This list is preliminary and SIS reserves the right to modify, supplement, or otherwise amend its witness list, including to add or withdraw any witness that

Intuitive Surgical, Inc. ("Intuitive" or "Defendant") identifies on its witness list or fails to identify on its witness list, or to add or withdraw any witness that Intuitive calls during trial, and/or to rely on any deposition testimony designated by Intuitive in whole or in part.

SIS's inclusion of any witness on this preliminary witness list does not waive any objections SIS may have to the introduction of that witness's testimony if offered by Intuitive, and is without prejudice to SIS's right to move to strike witnesses from Intuitive's list who were not properly disclosed.

The descriptions of testimony listed below are not intended to be exhaustive and SIS reserves the right to amend these descriptions of testimony and/or present testimony from these witnesses on topics that are not specifically listed below, or testimony that is responsive to testimony presented during Intuitive's case-in-chief. The estimates of time listed below are estimates only; SIS reserves the right to present testimony from these witnesses that exceeds the estimates of time listed below.

1. Intends to Call Live

Greg Posdal	[SIS's business generally and its efforts to provide repair and refurbishment services for EndoWrist instruments / 2 hours, 30 minutes]
Keith Johnson	[SIS's business generally and its efforts to provide repair and refurbishment services for EndoWrist instruments / 2 hours, 30 minutes]
Amandeep Mahal	[Dr. Mahal will testify to matters disclosed in his expert reports served in this case, and in response to testimony from Intuitive's experts / 2-3 hours]
Kim Parnell	[Dr. Parnell will testify to matters disclosed in his expert reports served in this case, and in response to testimony from Intuitive's experts / 2-3 hours]
Russell Lamb	[Dr. Lamb will testify to matters disclosed in his expert report served in this case, and in response to testimony

from Intuitive's experts / 5-6 hours]

Jean Sargent [Ms. Sargent will testify to matters disclosed in her expert reports served in this case, and in response to testimony from Intuitive's experts / 2 hours]

Kurt Humphrey [Mr. Humphrey will testify to matters disclosed in his expert reports served in this case, and in response to testimony from Intuitive's experts / 2-3 hours]

Richard Bero [Mr. Bero will testify to matters disclosed in his expert reports served in this case, and in response to testimony from Intuitive's experts / 5-6 hours]

2. May Call Live

Phil Phillips [Mr. Phillips will testify to matters disclosed in his expert reports served in this case, and in response to testimony from Intuitive's experts / 2-3 hours]

3. May Present Testimony By Deposition

Ronald Lee Bair, Jr. [da Vinci surgical systems, Intuitive's response to EndoWrists reset by third parties, and refurbishing EndoWrist instruments / 15-20 minutes]

Greta Bernier [demand for surgical robots; use of repaired EndoWrists / about 5 minutes]

John Bomalaski [replacing defective EndoWrists during surgery / about 5 minutes]

Michael Burke [switch to other surgical modalities caused by unavailability of da Vinci surgical robot / about 5 minutes]

Ted Claiborne [EndoWrist extended use instruments / 5-10 minutes]

Jake Colletti [Medline's involvement with repaired EndoWrists / about 5 minutes]

Myriam Curet [Intuitive's knowledge about and response to Rebotix's operations involving EndoWrists; / 5-10 minutes]

Bob DeSantis [Competition with da Vinci surgical robots; advantages of da Vinci surgical robots; design of EndoWrists and use in surgery; competition with EndoWrists; barriers to entry in

1 the MIST surgical robot market; surgical instrument failures  
2 and Intuitive procedures when customer sends back

3 EndoWrists; refurbishing and extending uses of EndoWrists;  
4 Rebotix refurbished EndoWrists; Intuitive's margin on  
5 EndoWrists; Intuitive terminating customers / 30-40  
6 minutes]

7 Eugene Dickens [dealing with EndoWrist failure during surgery; life of  
8 EndoWrist instruments / about 5 minutes]

9 Stacey Donovan [advantages of da Vinci robot; value of da Vinci robot to  
10 hospital; effect of limited uses on EndoWrists; repair of  
11 reusable instruments; use of and failure of EndoWrists in  
12 surgery; Evergreen's use of Rebotix Repair's services / 10-  
13 15 minutes]

14 Grant Duque [simulated surgical use and testing; RMAs; censored  
15 devices; re-tensioning and calibration; resetting of  
16 EndoWrist instruments and testing of such reset  
17 instruments; knowledge of Restore and Rebotix; instrument  
18 exchange during surgery; end of life for EndoWrists; Xi  
19 development and testing; / 10-15 minutes]

20 Ricardo Estape [Larkin affiliation; da Vinci surgical robot purchase and set  
21 up; EndoWrist failure during surgery; / about 5 minutes]

22 David Fabricant [Intuitive threats directed to customers; Stryker challenge to  
23 Intuitive threats; Project Raptor; / about 5 minutes]

24 John Francis [reaction to Franciscan ceasing da Vinci robotic surgeries; /  
25 about 1 minute]

26 Chris Gibson [the Interceptor; Rebotix Repairs business; effect of  
27 Intuitive's anti-competitive tactics; Restore Robotics;  
28 relationship with SIS; / about 5 minutes]

Jose Carlos Gonzalez [discussions with vendors who would reset the EndoWrist  
counter; / about 1 minute]

Nicky Goodson [Project Dragon; market for refurbished EndoWrist  
instruments; Intuitive testing of EndoWrists serviced by  
Restore or Rebotix; no evidence patients at risk from  
serviced EndoWrists; / about 5 minutes]

Sandra Sosa Guerrero [savings not worth a lawsuit / about 1 minute]

1	Stan Hamilton	[Rebotix ability to finance and conduct the business of
2		repairing X and Xi EndoWrists; the Interceptor chip; ability
3		to reset the EndoWrist Xi usage counter; / about 5 minutes]
4	Edward Harrich	[hospital's reaction to Intuitive price increase for surgical
5		robots; da Vinci surgeries at Pullman; hospital need for and
6		experience with the da Vinci robot; effect of use limits on
7		purchase of EndoWrists by the hospital; Pullman hospital's
8		use of repaired surgical instruments; EndoWrist use limits;
9		Rebotix-repaired EndoWrists; Pullman rejection of
10		EndoWrist instruments; failure of EndoWrists during
11		surgery; impact of contract limits and Intuitive's cease and
12		desist letter on Pullman hospitals use of repaired
13		EndoWrists; costs to hospital re using repaired EndoWrists
14		versus new; / about 15 minutes]
15	Sherry Harvey	[Crescent City's use of and satisfaction with refurbished
16		EndoWrists; / about 1 minute]
17	Antonio (AJ) Inacay	[Intuitive's reaction to a hospital using refurbished
18		EndoWrist instruments; / about 1 minute]
19	Mark Johnson	[EndoWrist instruments; maximum use restrictions;
20		EndoWrist predicate devices; extending number of lives for
21		EndoWrists; Intuitive analysis of Rebotix serviced
22		EndoWrists; / about 5 minutes]
23	Dan Jones	[Evergreen Health's and other hospitals' use of refurbished
24		EndoWrists; Intuitive letters regarding refurbished
25		EndoWrists; Intuitive termination of hospital agreements;
26		knowledge of EndoWrist procedures; / about 5 minutes]
27	Mario Lowe	[EndoWrist Extended Use Program; / about 1 minute]
28	Mike Madewell	[use and performance of Restore Robotics refurbished
29		EndoWrists; materials sent by Intuitive regarding
30		refurbished EndoWrists; / about 4 minutes]
31	Kevin May	[reverse engineering the Xi; Intuitive's cease and desist
32		letters; Restore's customer loss; Restore's repair of Si
33		instruments and hospital's subsequent use; Restore efforts to
34		bypass the chip in Si instruments; demand for X/Xi repair
35		services; / about 5-10 minutes]
36	Tyler McDonald	[Conway's use of new and refurbished EndoWrists;
37		Intuitive's coercion and efforts to stop Conway from using

1 refurbished EndoWrists and why Conway stopped; / about 5  
2 minutes]

3 Anthony McGrogan [generations of da Vinci robots; usage counter in  
4 EndoWrists; setting and implementing the use limit; effect  
5 of reprocessing on EndoWrists; difference between use  
6 counter in S/Si and in X/Xi EndoWrists; / about 5 minutes]

7 Maxwell Meng [personal knowledge of surgeons who work with da Vinci  
8 surgical robots; / about 1 minute]

9 David Mixner [Interceptor plan or project; distribution agreement between  
10 Rebotix and Restore; / about 2 minutes]

11 Marshall Mohr [Intuitive margins and accounting; Intuitive pricing;  
12 discontinued sales of S/Si robots in the USA; / about 3  
13 minutes]

14 Colin Morales [Intuitive's refurbishment program; Project Dragon; / about  
15 8 minutes]

16 Margaret Nixon [inspecting EndoWrist instruments; EndoWrist performance  
17 complaints; Intuitive offering remanufactured instruments;  
18 Intuitive's investigation of Restore's activities for resetting  
19 EndoWrist use counters; / about 5 minutes]

20 Bob Overmars [BPI's business relationship with Rebotix; repair of  
21 laparoscopic instruments; BPI's solicitation of hospital  
22 business for EndoWrist repair services; Intuitive's  
23 intimidation of hospitals about using EndoWrist repair  
24 services; / about 5 minutes]

25 Glenn Papit [Rebotix business; the Interceptor and patent coverage;  
26 Restore Robotics; customer response to EndoWrist repair  
27 service offering; resetting usage counter on X/Xi  
28 EndoWrists; pricing for repaired EndoWrists; effect of  
Intuitive's anticompetitive conduct and tactics; / about 7  
minutes]

Clif Parker [Alliance Healthcare; inspection of instruments; Restore  
repair technology; differences between the Si and Xi  
physically; efforts to reset usage counter and repair X/Xi  
EndoWrists; impact of Intuitive's anticompetitive conduct  
on Restore's customers; demand for Restore services;  
Restore's agreement with SIS; EndoWrist breakage;  
inspection and repair of other medical devices; / about 10  
minutes]

1	Disha Peswani	[C1 and C2 test cases; high volume instruments; / about 2 minutes]
2		
3	Todd Pope	[hospital need for surgical robots to be competitive; Intuitive has 99% of market share in USA; hospitals consideration of surgical robots as distinct category; TransEnterix and Senhance; / about 3 minutes]
4		
5		
6	David Rosa	[use of EndoWrists in surgery; setting use limits; raising use limits; / about 4 minutes]
7		
8	Eugene Rubach	[failures of surgical equipment; / about 1 minute]
9	Judith Schimmel	[standardization; why did hospital use third party repair service for EndoWrists; / about 1 minute]
10		
11	Katie Scoville	[refurbishment of EndoWrists; Project Dragon; performance of Rebotix serviced EndoWrists; / about 5 minutes]
12		
13	Ryan Shaw	[Si discontinuation; / about 1 minute]
14		
15	Loren Smith	[pricing determinations; / about 1 minute]
16		
17	Sharathchandra "Shark" Somayaji	[testing of EndoWrists; life testing of EndoWrists; changing lives of EndoWrists; comparison of Xi to Si EndoWrists; encryption of EndoWrists; Skywalker instruments; / about 5 minutes]
18		
19	Richard Teal	[purchasing medical devices; / about 1 minute]
20		
21	Todd Thomas	[conversations with Intuitive about contract; / about 1 minute]
22		
23	Todd Tourand	[end of life analysis for Si; / about 3-4 minutes]
24		
25	Glen Vavoso	[robotic assisted surgery; professional meetings; market share for MIST surgical robots; costs of procedures; TransEnterix and Senhance; approved procedures for da Vinci surgical robot; purchase of EndoWrists; traditional laparoscopic instruments; installed da Vinci robot base; development of da Vinci robot; barriers to entry for competitive surgical robots; SLSA contracts; communications with customer Intuitive thought breached the SLSA and actions taken if customer continues using third party EndoWrists; customer response to Intuitive letters and threats; Intuitive's competition in the supply of
26		
27		
28		

EndoWrists; / about 10-15 minutes]

John Wagner [tracking costs; / about 1 minute]

Karen F. Waninger [periodic maintenance; evaluation of Rebotix service offerings; training offered by Intuitive; / about 2 minutes]

Imron Zafar [Intuitive as a monopolist in MIST surgical robot market; third party servicing of medical devices; / about 5 minutes]

### **CONCLUSION**

The above proposed SIS trial witnesses are provisional only, and SIS reserves the right to update, modify, supplement, add, or remove any proposed trial witnesses at any time prior to the final submission of SIS's List of Trial Witnesses to the Court.

Dated: October 16, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2024, I caused a copy of the foregoing **PLAINTIFF**  
**SIS's AMENDED PROPOSED TRIAL WITNESS LIST**, to be electronically to be served *via*  
electronic mail to counsel of record:

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28 Dated: October 16, 2024

/s/ Joshua Van Hoven

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[Additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.,

*Plaintiff,*

v.

INTUITIVE SURGICAL, INC.,

*Defendant.*

Case No. 3:21-cv-03496-AMO

**INTUITIVE'S WITNESS LIST**

Date: November 25, 2024

Time: 11:00 a.m.

Courtroom: 10

The Honorable Araceli Martínez-Olguín

Pursuant to the Court's Schedule and Pretrial Order of June 11, 2024, Dkt. 235, Defendant Intuitive Surgical, Inc. ("Intuitive" or "Defendant") hereby submits the following list of witnesses it intends to call or may call at trial in the above-captioned matter. Intuitive reserves the right to modify, supplement, or otherwise amend its witness list, including to add or withdraw any witness that Surgical Instrument Service Company, Inc. ("SIS") identifies on its witness list or withdraws from its witness list, and/or to rely on any deposition testimony designated by SIS in whole or in part.

Intuitive's inclusion of any witness on this witness list does not waive any objections Intuitive may have to the introduction of that witness's testimony if offered by SIS, and is without prejudice to Intuitive's right to move to strike witnesses from SIS's list who were not properly disclosed.

The descriptions of testimony listed below are not intended to be exhaustive. Intuitive reserves the right to amend these descriptions of testimony and/or time estimates, and reserves the right to present testimony from these witnesses on topics that are not specifically listed below if such testimony is responsive to testimony presented during SIS's case-in-chief.

NAME AND AFFILIATION	APPEARING	SHORT DESCRIPTION OF TESTIMONY	TIME
Ron Bair Intuitive	Live	The use of da Vinci surgical systems in the field, Intuitive's response to EndoWrists reset by third parties, and the feasibility of refurbishing EndoWrist instruments.	1 hour or less
Myriam Curet Intuitive	Live	The design, features, and performance of the da Vinci surgical system, and her role and responsibilities as Intuitive's Chief Medical Officer. Ms. Curet may also testify regarding her personal experience using the da Vinci system as a surgeon, her personal experience using open and laparoscopic surgical techniques, and certain communications with regulators and/or customers.	1-2 hours
Bob DeSantis Intuitive	Live	The development of EndoWrist instruments, the EndoWrist Extended Use program and/or Intuitive's evaluation of whether to refurbish EndoWrist instruments, and his experience and communications regarding EndoWrists reset by third parties.	1 hour or less

<b>NAME AND AFFILIATION</b>	<b>APPEARING</b>	<b>SHORT DESCRIPTION OF TESTIMONY</b>	<b>TIME</b>
Grant Duque Intuitive	Live	The development, design, and testing of EndoWrist instruments, with a focus on the development, design, and testing of the X/Xi EndoWrist instruments, and his personal knowledge of technical issues associated with the EndoWrist Extended Use program.	1-2 hours
Mark Johnson Former Intuitive	Live or by deposition	Regulatory issues and communications with regulators.	1 hour or less
Anthony McGrogan Intuitive	Live	Technical and engineering issues relating to the development, design, and testing of EndoWrist instruments, the EndoWrist Extended Use program and/or the feasibility of refurbishing EndoWrist instruments, and EndoWrists reset by third parties.	1-2 hours
Maggie Nixon Former Intuitive	Live or by deposition	The development, design, and testing of EndoWrist instruments.	1 hour or less
Dave Rosa Intuitive	Live	All relevant aspects of Intuitive's business, including Intuitive's efforts to compete and sources of competition; Intuitive's research and development efforts; Intuitive's marketing, sales, and pricing; regulatory affairs; Intuitive's Extended Use program and the feasibility of refurbishing EndoWrist instruments; and Intuitive's concerns regarding and response to EndoWrists reset by third parties.	3-4 hours
Jeff Smith Intuitive	Live	The development, design, and testing of the da Vinci surgical system, including his personal knowledge of Intuitive's early efforts to develop a reusable EndoWrist instrument.	1-2 hours
Glenn Vavoso Intuitive	Live	Intuitive's marketing, sales, and pricing, and Intuitive's efforts to compete and sources of competition.	1-2 hours
Keith Johnson SIS	Live	If not called by SIS, Mr. Johnson will be called to testify regarding all aspects of SIS's claims and defenses.	3-4 hours
Gregory Posdal SIS	Live	If not called by SIS, Mr. Posdal will be called to testify regarding all aspects of SIS's claims and defenses.	3-4 hours
Ronald Arkin Arkin Consulting	By deposition	Competition in the alleged market for the repair and replacement of EndoWrist instruments and regulatory issues.	1 hour or less

NAME AND AFFILIATION	APPEARING	SHORT DESCRIPTION OF TESTIMONY	TIME
Greta Bernier Valley Medical	By deposition	Topics listed by SIS; benefits of da Vinci; robotic as compared to other modalities; hospital use and consideration of alternatives to da Vinci; financial benefit to Valley Medical from da Vinci.	15-20 minutes
Michael Burke Valley Medical	By deposition	Topics listed by SIS; Restore's approach to FDA clearance; lack of support for Restore's marketing messages.	5-10 minutes
Jake Colletti Medline Industries	By deposition	Topics listed by SIS; Restore's approach to FDA clearance; lack of support for Restore's marketing message.	5-10 minutes
Rafal Chudzik Alliance/Iconocare	By deposition	Competition in the alleged market for the repair and replacement of EndoWrist instruments and regulatory issues.	1 hour or less
Stacey Donovan Evergreen Health	By deposition	Topics listed by SIS; hospital knowledge of Intuitive contract terms; reasons for using and stopping use of Rebotix; hospital knowledge of Rebotix process; hospital policies/practices regarding FDA clearance.	10-15 minutes
Ricardo Estape Larkin	By deposition	The da Vinci surgical system from the perspective of a surgeon, and EndoWrists reset or reprogrammed by third parties.	1 hour or less
David Fabricant Stryker	By deposition	Project Raptor; Stryker's policies, practices and standards regarding quality and FDA clearance as related to Project Raptor; Stryker's understanding and evaluation of Rebotix's efforts to obtain FDA clearance; Stryker's understanding and evaluation of Rebotix's operations, business model and quality systems; Stryker communications with Intuitive.	10-15 minutes
Rick Ferreira Alliance/Iconocare	By deposition	Competition in the alleged market for the repair and replacement of EndoWrist instruments and regulatory issues.	1-2 hours
John Francis Franciscan	By deposition	The da Vinci surgical system from the perspective of a surgeon, and EndoWrists reset or reprogrammed by third parties.	1 hour or less
Jose Carlos Gonzalez Larkin (former)	By deposition	Larkin's robotic surgical program; comparative costs of surgical modalities.	5-10 minutes

NAME AND AFFILIATION	APPEARING	SHORT DESCRIPTION OF TESTIMONY	TIME
Edward Harrich Pullman Regional Hospital	By deposition	Topics listed by SIS; hospital knowledge of Intuitive contract terms; reasons for using and stopping use of Rebotix; hospital knowledge of Rebotix process and lack of FDA clearance; benefits of da Vinci for hospital, patients, and surgeons; hospital profits; role of FDA clearance in purchasing decisions.	10-15 minutes
Mike Madewell Panama City Surgical Center	By deposition	Panama City's purchase of a da Vinci system and understanding of its agreement with Intuitive; Panama City's robotic surgical program; the performance and features of the da Vinci surgical system; surgeons' choice of surgical modality; Panama City's communications with Intuitive; Panama City's communications with Restore Robotics.	15 minutes
Dipien Maun Franciscan	By deposition	The da Vinci surgical system from the perspective of a surgeon, and EndoWrists reset or reprogrammed by third parties.	1 hour or less
Tyler McDonald Conway Regional Medical Center	By deposition	Conway's use of EndoWrists; why Conway bought and stopped buying modified EndoWrists; benefits of da Vinci; hospital communications with Intuitive; hospital use and consideration of alternatives to da Vinci; role of FDA clearance in purchasing decisions.	10-15 minutes
Liz Nolan Valley Medical	By deposition	Marketing of da Vinci surgery.	1 hour or less
Bob Overmars BPI Medical	By deposition	BPI communications with FDA, and related communications with Rebotix.	5-10 minutes
Paul Plomin Franciscan	By deposition	Hospital purchases of da Vinci surgical systems and EndoWrist instruments.	1 hour or less
Todd Pope TransEnterix	By deposition	Differences between Intuitive EndoWrists and Senhance instruments.	2 minutes
Judith Schimmel Franciscan	By deposition	30(b)(6)): Topics listed by SIS (if any);  Policy to purchase FDA-cleared devices.  Topics listed by SIS; Physician demand for dV machines; negotiation of Franciscan agreements with Intuitive.	5-10 minutes

<b>NAME AND AFFILIATION</b>	<b>APPEARING</b>	<b>SHORT DESCRIPTION OF TESTIMONY</b>	<b>TIME</b>
Michael Shepherd Franciscan	By deposition	Marketing of da Vinci surgery.	1 hour or less
Richard Teal Valley Medical	By deposition	Topics listed by SIS; hospital practices, policies, and procedures for purchasing medical devices including the role of FDA clearance in purchasing decisions.	5-10 minutes
Todd Thomas Valley Medical	By deposition	Topics listed by SIS; hospital practices, policies, and procedures for purchasing medical devices; hospital knowledge of Intuitive product and service terms.	5-10 minutes
John Wagner Valley Medical	By deposition	Hospital purchases of da Vinci systems and EndoWrist instruments.	1 hour or less
Karen F. Waninger Franciscan	By deposition	Topics listed by SIS; Physician demand for dV machines.	5-10 minutes
Chris Gibson Rebotix	By deposition	Rebotix's business strategy and operations; Rebotix's relationships and communications with third-party distributors, including SIS. Mr. Gibson may also be called to authenticate and lay foundation for the admission of documents, if necessary. Mr. Gibson will provide non-cumulative testimony based on his experience working in Rebotix's customer service and marketing, and regarding documents on which other Rebotix witnesses were not examined.	30 minutes
Stan Hamilton Rebotix	By deposition	Rebotix's communications with FDA and efforts to obtain regulatory clearance; Rebotix's business strategy and operations, including its ability to reset Xi EndoWrists. Mr. Hamilton may also be called to authenticate and lay foundation for the admission of documents, if necessary. Mr. Hamilton will provide non-cumulative testimony based on his experience working on regulatory issues, and regarding documents on which other Rebotix witnesses were not examined.	25 minutes

NAME AND AFFILIATION	APPEARING	SHORT DESCRIPTION OF TESTIMONY	TIME
David Mixner Rebotix	By deposition	Rebotix's communications with FDA and efforts to obtain regulatory clearance; Rebotix's business strategy and operations. Mr. Mixner may also be called to authenticate and lay foundation for the admission of documents, if necessary. Mr. Mixner will provide non-cumulative testimony based on his experience as Rebotix's senior executive, and regarding documents on which other Rebotix witnesses were not examined.	20 minutes
Joe Morrison Rebotix	By deposition	If not called by SIS, Mr. Morrison may be called to authenticate and lay the foundation for the admission of documents, if necessary.	1 hour or less
Glenn Papit Rebotix	By deposition	Rebotix's business strategy and operations, including Rebotix's relationships and communications with customers and third-party distributors. Mr. Papit may also be called to authenticate and lay foundation for the admission of documents, if necessary. Mr. Papit will provide non-cumulative testimony that was given as a corporate representative of Rebotix, and regarding documents on which other Rebotix witnesses were not examined.	20 minutes
West Gordon Restore	By deposition	If not called by SIS, Mr. Gordon may be called to authenticate and lay the foundation for the admission of documents, if necessary.	1 hour or less
Kevin May Restore	By deposition	Topics listed by SIS; Restore's work and business related da Vinci surgical systems and EndoWrist instruments including work done, and agreements and business with, Rebotix and Iconocare; the Iconocare 510(k) for EndoWrists. Mr. May may also be called to authenticate and lay foundation for the admission of documents, if necessary.	1 hour or less
Clif Parker Restore	By deposition	Topics listed by SIS; Restore's work and business related da Vinci surgical systems and EndoWrist instruments including work done, and agreements and business with, Rebotix and Iconocare; the Iconocare 510(k) for EndoWrists. Mr. Parker may also be called to authenticate and lay foundation for the admission of documents, if necessary.	1 hour or less

NAME AND AFFILIATION	APPEARING	SHORT DESCRIPTION OF TESTIMONY	TIME
Christy Foreman Biologics Consulting Group	Live	Ms. Foreman will testify to matters disclosed in her expert report serviced in this case, and in response to testimony from SIS's experts.	1-2 hours
Jason Goodwin Sacramento City College	Live	Prof. Goodwin will testify to matters disclosed in his expert report served in this case, and in response to testimony from SIS's experts.	1-2 hours
Robert Howe Harvard University	Live	Dr. Howe will testify to matters disclosed in his expert reports served in this case, and in response to testimony from SIS's experts.	2-3 hours
Paul Martin Harbor Labs, Inc.	Live	Mr. Martin will testify to matters disclosed in his expert report served in this case, and in response to testimony from SIS's experts.	1-2 hours
Maxwell Meng University of California, San Francisco	Live	Dr. Meng will testify to matters disclosed in his expert report served in this case, and in response to testimony from SIS's experts.	1-2 hours
Phillip Phillips Phillips Consulting Group, LLC	May call live or by deposition	If not called by SIS, Mr. Phillips may be called to testify to matters disclosed in his expert reports served in this case, including, without limitation, his consulting experience, the materials he considered in rendering his opinions, and FDA statements, practice, procedure and policy involving medical devices.	20-30 minutes
Loren Smith University of Virginia	Live	Prof. Smith will testify to matters disclosed in his expert reports in this case, and in response to testimony from SIS's experts.	3-4 hours

1 Dated: October 28, 2024

By: /s/ Kenneth A. Gallo  
Kenneth A. Gallo

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**CERTIFICATE OF SERVICE**

On October 28, 2024, I caused a copy of Intuitive's Witness List to be electronically served via email on counsel of record for Surgical Instrument Service Company, Inc.

Dated: October 28, 2024

By: /s/ Kenneth A. Gallo  
Kenneth A. Gallo